

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SABRINA PEREZ, et al.,
Plaintiff,
v.
WELLS FARGO BANK, N.A., et al.,
Defendants.

Case No. 2:24-cv-04077-SRM-AS

**ORDER GRANTING JOINT
STIPULATION TO FILE THIRD
AMENDED COMPLAINT [156] AND
DENYING WITHOUT PREJUDICE
THE MOTION FOR PRELIMINARY
APPROVAL [157]**

On March 27, 2024, Plaintiffs Sabrina Perez, Tanner Tom, Arick Vickrey, and Andrej Simunac filed their Second Amended Class and Collective Action Complaint (“SACCAC”). Dkt. 47. In it, Perez, Tom, Vickrey, and Simunac assert various labor claims and a consumer protection claim against Defendants Wells Fargo Bank, N.A. and Wells Fargo & Company. *See id.* at 19–26. As of today’s date, the SACCAC is the operative complaint.

On August 21, 2025, the parties filed a Joint Status Report explaining they have settled this case and will be filing a motion for preliminary approval on September 4, 2025. Dkt. 154 at 3. On that date, the parties filed two separate documents. The first is their Joint Stipulation to File Third Amended Complaint. Dkt. 156, J. Stip. The parties clarify that they have reached a global settlement of the class action claims in this case

1 and the Private Attorney General Act (“PAGA”) claims brought by Lilyana Aiwas in the
2 related state court action *Aiwas v. Wells Fargo Bank, N.A.*, No. 24CV075649 (Alameda
3 Cnty. Super. Ct.). *Id.* at 1. The parties thus request that the Court give Plaintiffs leave to
4 file the proposed Third Amended Complaint, which adds Aiwas as a named plaintiff and
5 her respective PAGA claims. *Id.*

6 The Court finds that giving Plaintiffs leave to file the Third Amended Complaint is
7 appropriate here to help effectuate the parties’ global settlement. Accordingly, the Joint
8 Stipulation to File Third Amended Complaint is **GRANTED** as follows:

- 9 1) Plaintiffs are given leave to file the proposed Third Amended
10 Complaint and must file it within 7 days of the date of this order;
11 2) Defendants’ deadline to file a responsive pleading is stayed.

12 The second document filed is the Motion for Preliminary Approval. Dkt. 157. The
13 parties ask the Court to preliminarily approve their global settlement, which includes
14 Aiwas’ PAGA claims in the proposed Third Amended Complaint. *See* Dkt. 157, Mot. at
15 1. However, the Court cannot preliminarily approve the settlement of Aiwas’ PAGA
16 claims as they were not asserted in the SACCAC, which is the operative complaint.
17 Accordingly, the Motion for Preliminary Approval is **DENIED WITHOUT**
18 **PREJUDICE** subject to refiling once Plaintiffs have filed the proposed Third Amended
19 Complaint.

20 **IT IS SO ORDERED.**

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22 Dated: September 16, 2025



23 HON. SERENA R. MURILLO
24 UNITED STATES DISTRICT JUDGE
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